PETITION FOR ZONING VARIANCE E/S Oakleigh Road, 594' * ZONING COMMISSIONER S of c/l of Taylor Avenue 7817 Oakleigh Road * OF BALTIMORE COUNTY 9th Election District 6th Councilmanic District Legal Owner: Dennis C. Deigert, * Case No. 90-38-A Sr., et ux Contract Purchaser: Keith A. Randlett petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance from Section 1802.3.C.1 to permit 2 lot widths of 50 feet in lieu of the minimum 55 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, Legal Owners, Mr. and Mrs. Dennis C. Deigert, Sr., together with the Contract Purchaser, Keith A. Randlett, appeared and testified. Mr. Michael Kumulides and Ms. Diane Moebuis appeared as Protes-

Testimony and evidence indicated that the subject property designated as Lots 1 and 2 on Petitioners' Exhibit 1, known as 7817 Oakleigh Road, consists of approximately 18,100 square feet +/-, zoned D.R.5.5. Lot No. 1 is currently improved with an existing family home and accessory garage and Lot No. 2 is currently unimproved.

The Contract Purchaser, Mr. Keith A. Randlett, is desirous of placing a single family dwelling on Lot No. 2 that is compatible with the homes in the neighborhood. He testified that, in view of the layout of this property, he would suffer an undue hardship and practical difficulty should the requested variance be denied.

Oakleigh Road, formerly known as Cowpen Avenue. Subject

(East side at Oakleigh Rd, 594 feet south of conterline of Taylor Ave)

It is my understanding that you have informed Mr. Joseph Merrey of my

office that your attorney has misplaced the original "Deed of Easement" and

that a copy of same was not attached to the Order, per restriction No. 2.

obtain another "Deed of Easement" for execution should this be your intent.

It is also my understanding that you intend to appeal this case. I

would suggest that you re-sive this matter promptly, as this correspondence will, in no way, affect the running of the appeal period regarding this

Be advised that it is your responsibility to contact the Petitioner to

to restrictions in Liber C-W-B JR.952 Folio 131.

Baltimore County

(301) 887 3353

Zoning Commissioner

Office of Planning & Zoning Towson, Maryland 21204

Mr. Michael Kumulides

Baltimore, Maryland 21234

RE: Petition for Zoning Variance

Case No. 90-38-A

Dear Mr. Kumulides and Ms. Moebuis:

Ms Diane Moebuis

7317 Oakleigh Road

Mr. Kumulides and Ms Moebuis, Protestants, reside on Lot No. 1 which adjoins Lot No. 2's northern boundary line. Mr. Kumulides was concerned regarding his ability to get his vehicles to his rear yard once Lot No. 2 is developed. Mr. Kumulides submitted a location survey, marked Protestants' Exhibit No. 1, which indicates the current access driveway traversing the front portion of Lot No. 2 and entering the rear yard of Lot No. Mr. Randlett testified that he would be willing to prepare a Deed of Easement which would afford the Protes ints a 3 foot easement for the purpose of ingress and egress from the line of division between No. 304 and Lot No. 305 which is indicated on Exhibit B appended hereto. The Protestants indicated that this proposal was a satisfactory resolution to

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

 whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It is the opinion of the Zoning Commissioner that the deed of easement appended hereto cures any hardship that would be shifted from the Petitioners' property to the Protestants' property as the result of granting the requested relief. It has been established to the satisfaction of the Zoning Commissioner that the requirements from which the Petitic rs seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of Decembrigary that the Petition for a Zoning Variance from Section 1B02.3.C.1 to permit 2 lot widths of 50 feet in lieu of the minimum 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

THIS DEED OF EASEMENT, Made this _____ day of October, 1989 in the year Nineteen Hundred Eighty Nine, by and between Dennie C. Deigert, Sr. and Janice A. Deigert, his wife, Parties of the First Part, and Michael G. Kumulides and Diane Moebuis, parties of the second part. Being known and designated as lots 305, & 306 on the tract of land known as West Moreland Fruit Farms RECITALS and recorded among the plat record of Baltimore County in plat book W-P-C #7 folio 102. Said lots located on

their concerns.

WHEPEAS, the Parties of the First Part are the owners of that property located in Baltimore County, State of Maryland described as follows:

BEING KNOWN AND DESIGNATED as Lot Nos. 303 and 304 as shown on the plat entitled "Westmoreland Fruit Farm" which plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 102. The improvements thereon are known as 7817 Oakleigh Road (formerly Cowpens Avenue)

WHEREAS, the Parties of the Second Part are the owners of that property located in Baltimore County, State of Maryland described as follows:

BEING KNOWN AND DESIGNATED as Lot Nos. 305 and 306 as shown on the plat entitled "Westmoreland Fruit Farm" which plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 102.

WHEREAS, the Parties of the Second Part have requested an easement from the Parties of the First Part for the purpose of ingress and egress and the Parties of the First Part have agreed to grant such easement pursuant to the terms and conditions stated herein.

NOW, THEREFORE, WITNESSETH, that in consideration of the covenants herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties of the First Part subject to the reservation hereinafter stated, do hereby grant and convey into the Parties of the Second Part, their personal representative, successors and assigns, a three (3) foot easement for the purpose of ingress and egress from the line of division between Lot No. 304 and Lot No. 305 of the aforementioned Plat and described as follows:

SEE EXHIBIT A ATTACHED HERETO

SUBJECT TO THE RESERVATION by the Parties of the First Part, their Personal Representatives, heirs and assigns, for the use in common of the aforedescribed easement with the Parties of the Second Part, their Personal Representatives, heirs and assigns.

WITNESS the execution of this Deed of Easement by the Parties of the First Part.

Michael G. Kumulides STATE OF MARYLAND, CITY/COUNTY OF CHICAGO HEREBY CERTIFY that on this the undersigned Notary Public of the State of Maryland, personally appeared Dennis C. Deigert, Sr. and Janice A. Deigert and acknowledged themselves to be the persons whose names are subscribed to the within document and that they executed the aforegoing

IN WITNESS My Hand and Notarial Seal.

document for the purposes therein contained.

My Commission Expires: July 1, 1990 STATE OF MARYLAND, CITY/COUNTY OF _____, TO WIT:

I HEREBY CERTIFY that on this ____ day of _____, 19___, before me, the undersigned Notary Public of the State of Maryland, personally appeared Michael G. Kumulides and acknowledged himself to be the person whose name is subscribed to the within document and that he executed the foregoing document for the purposes therein contained.

IN WITNESS My Hand and Notarial Seal.

Notary Public

My Commission Expires: July 1, 1990 STATE OF MARYLAND, CITY/COUNTY OF

I HEREBY CERTIFY that on this Public of the State of Maryland, personally appeared Diane

Moebuis, and acknowledged herself to the the person whose name is subscribed to the within document and that she executed the foregoing document for the purposes therein contained.

IN WITNESS My Hand and Notarial Seal.

Notary Public My Commission Expires: July 1, 1990

The Petitioners may not apply for their building rermit until the expiration of thirty (30) days from the date of this Order to provide Protestants an opportunity to review the attached Deed of Easement and execute same. Upon signing the Deed, Protestants shall deliver the Deed to Petitioners by certified mail for filing with Baltimore County Land Records. The Petilioners shall pay all filing and recording costs. Should the Protestants fail to deliver the signed Deed to Petitioners within the thirty days aforementioned, said Deed shall be voidable at the option of Petitioners.

> Zoning Commissioner for Baltimore County

cc: Peoples Counsel

cc: Protestants

PETION THE ZONING COM	FION FOR	ZONING	VARIANCE	38
=	egal owner(s) of the	e property situate led hereto and mad	e in Baltimore County de a part hereof, hereby	

Variance from Section ___LBD2_3_C_1____ To permit 2 lot widths of 50' in lieu of the minimum 55'. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the

following reasons: (indicate hardship or practical difficulty) the single family dwelling proposed is 28th wide which provides for sideyard serbacks is within accordance with Bacto. Subject property fentice subdivision is residential f without requested variance, Subject property is not capable of being developed, thereby creating practical difficulty or hardship with regard to developability. The granting of this variance will not result in injury to public

health, safety, or welfare		
Property is to be posted and advertised as I		
I, or we, agree to pay expenses of above Varia petition, and further agree to and are to be bound Baltimore County adopted pursuant to the Zoning I	nce advertising, posting, etc., upon filing of this by the zoning regulations and restrictions of Law For Baltimore County.	ME
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.	
Contract Purchaser: KEITA A.RANDLETT	Dennis C. Deigert Sc.	200 _
(Type or Print Name) Signature (Type or Print Name)	(Type or Print Name) Sennis C. Leigert S. Signature	1600 P
Address	Tanice A. Deigert (Type or Print Name)	
Baltimore Md. 21237 City and State	Signature Cu. Museu	
Attorney for Petitioner:	7817 OAKLEIGHRU 661-34	139
(Type or Print Name)	Baltimore MaryLand	
Signature	City and State	-
Address	Name, address and phone number of legal owner, con tract purchaser or representative to be contacted	1-
City and State	Dennis C. Deigert St.	- 'a
Attorney's Telephone No.:	7817 OAK Leigh Rd 661-343 Address Phone No.	L
of	e subject matter of this petition be advertised, in two newspapers of general circulation through	ıg
County, on the day of _	Hug 19. 19. at Z o'clos	ck

ESTINATED LENGTH OF HEARING (1/2HR.) AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS

Robert Haines Zoning Commissioner for Baltimore County

cc: Mr. Keith A. Randlett 6539 Corkley Road Baltimore, Maryland 21237

1884sap

KEITH A. RANDLETT 5902 HAMILTON AVENUE BALTIMORE, MD 21237 (301) 866-5923

October 23, 1989

J. Pobert Haines Zoning Commissioner Baltimore County Office of Planning & Zoning Towson, Maryland 21204 (301)887-3353

RE: Petition of Zoning Variance CASE# 90-38-A

Dear Mr. Haines,

Pursuant to the above referenced case, I have obtained the requested documentation. However, I have not been able to execute the document because Mr Kumulides has not cooperated in this matter. I have tried to contact him by phone, mail and in person to no avail. I sent him a letter in September after numerous attempts by phone.

ZONING OFFICE

Enclosed in that letter was a cover letter, explaining the contents which were as follows: A copy of the proposed easement, and a letter to you from them stating that after reviewing the information, they were now in favor of the requested variance. I hand delivered that package to the Kumulides's home on Setpember 17, 1989. After time went by and many attempts by phone and in person to contact them, I finally found Mr. Kumilides at home on October 20, 1989.

He acknowledged receipt of the package that I put in his mailbox, but said that the variance was denied because I didn't have the documentation in to your office.

After informing him of our requested extension until the 20th of October, he told me he wasn't signing anything until he heard from your office. Furthermore, he stated that he would have to have his lawyer look over the deed.

Mr. Kumulides also told me that the proposed 3 foot easement wasn't enough and that a 10 foot easement may be better. He went on to say that he wanted the lot and that the lot wasa't buildable. I then asked him if he wanted to but it for \$20,000.00 dollars, he said

This isn't the first time Mr. Kumulides has decided to change his mind, Enclosed is an addendum Mr. & Mrs. Kumulides signed at settlement after receiving their location survey.

Enclosed is all the documentation that you requested, perhaps your office can reason with Mr. Kumulides in a more expeditious fashion, then I've been able to do.

As stated in my earlier letter to you on September 14, 1989, I would like to reiterate paragraph (3) three and will hope this will give you the proper documentation to make a favorable decision.

Sincerely Contract Purchaser

0606.

FRAME

BLOG.

BLUM PANCHER

FENCE

EXHIBIT A

USE IN COMMON FOR PURPOSE OF INGRESS AND EGRESS

BEGINNING for the same at a point on the east side of Oakleigh Road (also known as Cowpen Avenue shown on a plat entitled "Westmoreland Fruit Farm" recorded among the Land Records of Baltimore County in Plat Book No. 7 Folio 102) said point being the Northwest corner of Lot 305; thence running with and binding on the division line for lots 304 and 305 for the following course and distance Viz:

- 1. Easterly a distance of 181.90 to a point being the Northeast corner of Lot 305; thence binding on the Easternmost line of Lot 305
- 2. Southerly a distance of 3.0 feet; thence parallel with the above mentioned division line
- . Westerly a distance of 181.83 feet to a point on the East side of the aforementioned Oakleigh Road; thence running with and binding on said road for the following course and
- 4. North 9 degrees 56 minutes East a distance of 3.0 feet to the point of beginning.

APR 14. 1989 3:34PM P.02 FROM: SSM BALTIMORE BLD6. (6.5'X 8.5') FRAME BLOG. - COV. WOOD PORCH (6'X13') COV. CELLAR RANCHER ENTR. COV. WOOD PORCH(8' X13') ASSTMORELAND ONKLEIGH RD. (FIELD)

FRUIT FARM, DALTO. COWPEN DVE. (PLAT)

50. IN PLAT BOOK

1.0. 7-102.

2.) THIS DESCRIPTION. FENCE NOTE:

1) ALSO DESIGNATED N9°-56'E

AS LOT 303 & 304

AS SHOWN ON PLAT OAKLEIGH RD. (FIELD
WESTMORELAND OAKLEIGH RVE. (PLAT)
PRUIT FARM,
PECOROED IN BALTO. COWPEN AVE. (PLAT)
CO. IN PLAT BOOK
NO. 7-102. PROPERTY LIES IN ZONE 'C' (SREA OF MINIMAL
2) THIS PROPERTY LIES IN ZONE 'C' (SREA OF MINIMAL E) THIS PROPERTY LIES IN ZONE C' (DEED OF MINIMAL PLOUNG AS SHOWN ON FIRM MAP NO. EFOND OF 10 B, DATED MARCH 2, 1981. 2) THIS PROPERTY LIES IN ZONE C' (DREA OF MINIMAL FLOODING)
AS SHOWN ON FIRM MAP NO. 24000 OF TOR PATE MANGEN 1961.

ACDENDUM TO SALES CONTRACT

	•		•	. •	
PROPERTY	7817 Oakleig	h_Avenue,	Baltimore MD 21234		
OWNER/SELLER	Dennis C.	Deigert,	Sr. & Janice A. Deigert,	his wife	•
BUYER	Michael G.	Kumlides	& Diane P. Moebuis		
DATE OF CONTRACT	T OF SALE	February	27, 1989		

*Plat of "Westmoreland Fruit Farm"

Development/Variance Lots 305 & 306 * AMENDMENT/ADDENDUM REGARDING: DATE THIS AGREEMENT PREPARED April 27, 1989

In consideration of the sum of one (\$1.00) or other good and valuable consideration, the receipt of which is hereby acknowledged, the owner/seller and buyer hereby agree that:

Buyer understands that Seller owns lots 305 and 306 as shown on the Plat of "Westmoreland Fruit Farm" 7/102 and that these lots are contiguous to 7817 Oakleigh Ave. (lots 303 & 304), the subject property of this contract. Buyers are also aware that Sellers are applying for a variance in order to construct a single family dwelling on lots 305 & 306 and are in favor of this construction and will support and not oppose the variance.

This Addendum will survive closing/settlement.

The above is to be considered part of the contract of sale and of equal force and effect as all other terms and conditions which otherwise remain the same.

Keith A. Randlett 5902 Hamilton Ave. Baltimore, MD. 21237

September 14, 1989

Baltimore County Zoning Commissioner Office of Planning&Zoning Towson, MD. 21204 J. Robert Haines Zoning Commissioner

Re:Petition for Zoning Variance Case#90-38-A

We are in receipt of your letter dated August 25, 1989. We are diligently Dear Mr. Haines, seeking to get the proper documentation that you requested. It is, as your probably

However, at this time we have employed Diversified Title Corp. as well as an attorney, Michael Marino to handle this matter. They have assured us that they will have completed the documentation we need to present to you no later than October 20, 1989. Before recording the driveway easement the Komulides's will have to sign the document thus showing their approval.

This has been a long and expensive process just to have the right to build on a lot that it's original developer obviously intended for that purpose. We hope that you will grant us this extention so that we can make all parties concerned satisfied with your decision. It will then seem to all be worth this process. Anticipating your extention I remain

> Sincerely Yours, " with of Lundlett Keith A. Randlett Contract Purchaser



Baltimore County Zoning Commissione Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

August 25, 1989



Mr. and Mrs. Dennis C. Diegert, Sr. 7817 Oakleigh Road Baltimore, Maryland 21234

Mr. Keith A. Randlett 6539 Corkley Road Baltimore, Maryland 21237

> RE: Petition for Zoning Variance Case #90-38-A

Dear Mr. and Mrs. Diegert and Mr. Randlett:

As you will recall, my decision in the above captioned matter is pending receipt by my office of proper documentation regarding the driveway easement between lots nos. 1 and 2 referenced on Petitioner's Exhibit #1, and as discussed at the hearing of this matter.

Please be advised that I have diaried this case for September 15, 1989 and if I am not in receipt at that time of the requested documentation, I will, thereupon, deny the requested relief.

Very truly yours,

J. Robert Haines Zoning Commissioner

cc: Mr. Michael Kumullu 7817 Oakleigh Road Baltimore, Md. 21234

> CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

(Garanti) trees) to the contract of the contr				
	Date of Posting 7/21/89			
District 9Th Posted for: 1/0 x10	Date of Posting			
District				
Posted for:	+ So for & North A Road lott			
Petitioner: Pennis E. N	eigent, Singe Lox & North A. Rondlott Datleigh Rd., 594' Stoylor Are:			
Location of property:	01			
7817 OIN Jeigh	Rd. 1 Pd 00000 151 For 100 Huley			
Facing	0 = 1 1 1 1 1 1 1 1 1 1			
Location of Signs	(781787819)			
1200 Tu 13 00 1000				
Posted by Signature	Date of return:			

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: July 24, 1989 J. Robert Haines Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning Keith Randlett, Item 494 SUBJECT: Zoning Petition No. 90-38-A

Number of Signa:

The applicant is requesting consideration to establish lot sizes of 50 feet in width rather than 55 feet and variances to respective side yards where required. In reference to these requests, staff provides the following information:

- In instances such as these, staff's primary concerns are:
- 1. What is the impact on adjoining property?, and 2. Are adequate front, side, and rear yard setbacks being provided on the site?, and
- Will the reduced lot sizes result in requests for additional variances when subsequent lot owners try to build unsuitable homes on the lots or expand homes into required areas?

Based upon the information provided and analysis conducted, staff recommends that if any of the requests are granted, the following conditions be attached.

- All building setback lines (front, side, rear) shall be shown on the site plan and recorded by the applicant pe snown on the site plan and recorded by the applicant on the deed of record. Furthermore, a statement shall be attached to the site plan which clearly states that all development shall conform to the setbacks as shown and additional variances shall not be granted for setbacks on the subject property.
- Any applications for building permits shall include a copy of the site plan and the Commissioner's "Findings of Fact and Conclusions of Law," provided by the applicant.

PK/sf

REVISED 8/25/87 to show PLOPOSED INGRESS EGERS

MSEMENT LOCATION SURVEY 7817 OAKLEIGH ACAQ BALTIMORE COUNTY, MO

I hereby certify that I have made a survey of this lot for the purpose of looging the improvements thereon and that they are loosing as shown. This plat is not intended for use in satisfishing property lines.

M/A DIV. V.K. RPG. 1640 4.13.89 89344

SSIM

_3 DRAIN

FENCE (14' XIA')

PROPOSED 3' NAMES!

PORCH(G'X13')

COV. CELLAIS

PORCH (O' X13')

ENTR.

EQUIS EMBNO

- COV. WOOD

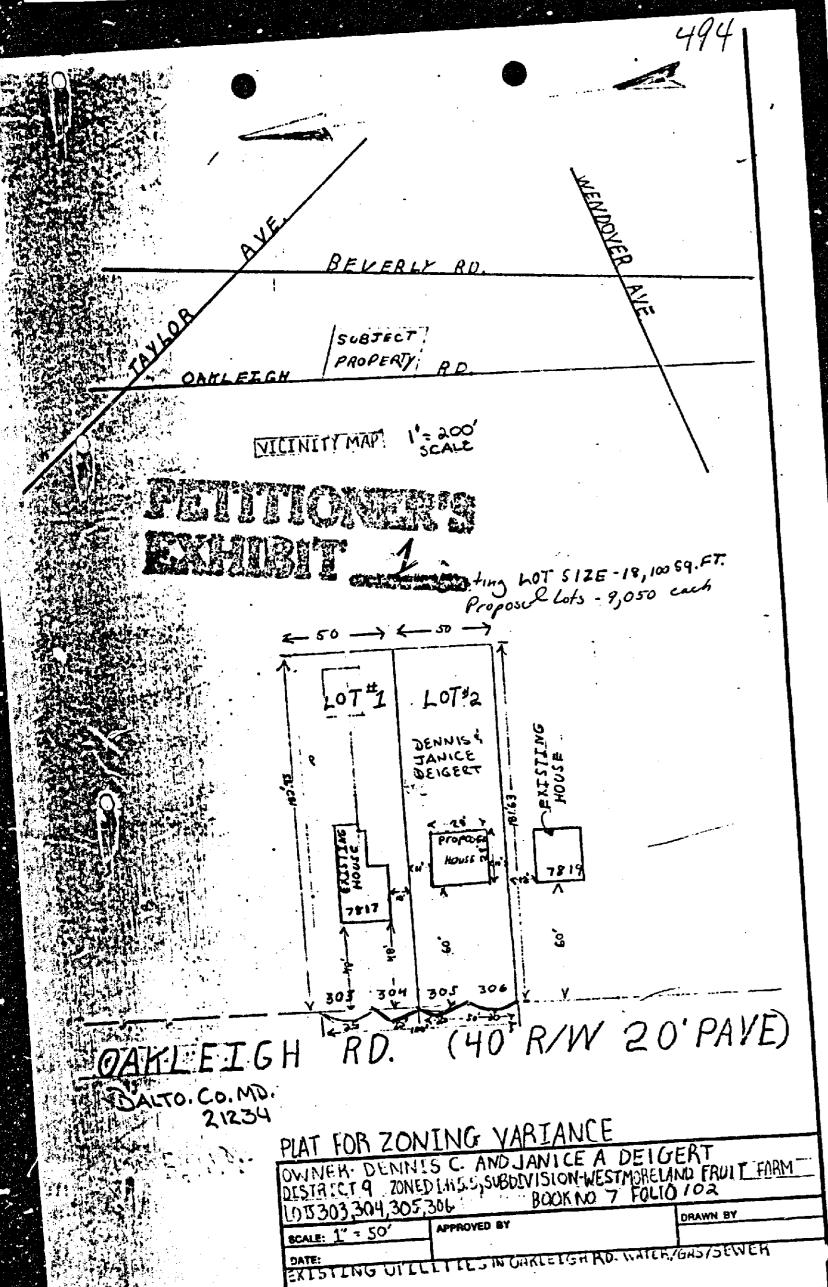
I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they This plat is not intended for use in establishing property lines.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Mr. & Mrs. Dennis C. Deigert, Sr. 7817 Dakleigh Road Baltimore, Maryland 21234 Petition for Zoning Variance Dennis F. Rasmussen
County Executive CASE NUMBER: 90-38-A E/S Dakleigh Road, 594 S of c/l of Taylor Avenue 7817 Cokleigh Road 9th Election District - 6th Councilmanic Legal Duner(s): Dennis C. Deigert, Sr., et ux Contact Purchaser(s): Keith A. Randlett HEARING SCHEDULED: TUESDAY, AUGUST 8, 1989 at 2:00 p.m. Dear Mr. & Mrs. Deigert: Please be advised that \$120.29 is due for advertising and posting of the above captioned property. THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)

RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

UNTIL THE DAY OF THE HEARING. Please make your chack navable; ounty Office Buildryland fifteen (15) TIMORE COUNTY, MARYLAND ICE OF FINANCE - NEVENUE DIVISION SCELLANEOUS CASH RECEIPT post set(s), there for each such set Well A Rundlett 90-38-19 B 105*****12029:a £988F



A HOTICE OF MEARING The Zening Constitutioner of Baltimore County, by authority of the Zening, Act and Requisitors of Baltimore County, will test a public hearing on the property countries herein in Room 108 of the County Office Building, to-celled at 111 W. Chesquelle Avenue in Towson, http://and.21204.as follows: Petition for Zoning Variance
Case number: 90-38-A
E/S Cuideigh Road, 594" act
of of Taylor/Werrue
7817 Cuideigh Road
9th Election District
6th Councilments.
Legal Owner(s):
Dennis C. Deigert, Sr., et et
Contact Perchaser(s):
Keith A. Randiett
Hearing Date: Tuesday,
Aug. 8, 1969 at 2:00 p.m. Variance: to permit 2 lot width of 50 ft. in lies of the minimum 55 一个一个 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Control missioner will, however, entertain any request for a stay of the iseuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. J. ROBERT HAINES Zoning Cormissioner of Bath nore County
T/J/7/231 July 20.

CERTIFICATE OF PUBLICATION TOWSON, MD., July 21 . 1989 THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ______ weeks, the first publication appearing on July 20, 19 89 THE JEFFERSONIAN TOWSON TIMES, 5. Zehe Orlan

> PO13727 15 90-38-A price \$95.29

BEVERLY RD SUBJECT! PROPERTY PO VICINITY MAP 1= 200 Existing hOT SIZE-18, 100 Sq. FT. Proposed Lots - 9,050 cach ₹ 50 → ← 50 → DEM-112 4 JAN.CE DEIGERT BALTO. CO. MD. PLAT FOR ZONING YARIANL OWNER DENNIS C. ANDJANICE A DEIGERT DISTAICT 9 ZONED LASS, SUBDIVISION-WESTMORELAND FRUIT FARM BOOK NO 7 FOLIO 102 05303,304,305,306 EXISTING UTLLETTES IN CHREETSH RD. WATER, GAS/SEWER

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 90-38-A E/S Dakleigh Road, 594' S of c/l of Taylor Avenue 7817 Dakleigh Road 9th Election District - 6th Councilmanic Legal Dwner(s): Dennis C. Deigert, Sr., et ux Contact Purchaser(s): Keith A. Randlett HEARING SCHEDULED: TUESDAY, AUGUST 8, 1989 at 2:00 p.m.

Variance: To permit 2 lot width of 50 ft. in lieu of the minimum 55 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Sprines 1. ROBERT HAINES ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

cc: Mr. & Mrs. Deigert Keith A. Randlett

Baltimore County
Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

June 6, 1989

Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 487, 488, 489, 491, 492, 494, 495, 496, 497, 498, and 499.

Very truly yours, Traffic Engineer Assoc. II

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500 Paul H. Reincke

June 1, 1989

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Legal Owner: Dennis C. Deigert, Sr. RE: Property Owner: E/S of Oakleigh Road, 594' S centerline

Item No.:

Location:

Zoning Agenda: May 30, 1989

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

of Taylor Avenue

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Planting Group Special Inspection Division

JK/ker

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 31st day of May , 1989.

Chairman, Zoning Plans Received by: Petitioner Dennis C. Deigert at Petitioner's ux Advisory Committee Attorney

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 31, 1989

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Mr. Keith A. Randlett 6539 Corkley Road Baltimore, MD 21237

RE: Item No. 494, Case No. 90-38-A Petitioner: Dennis C. Deigert, et ux Petition for Zoning Variance

Dear Mr. Randlett: Burcau of

Department of Bureau of Fire Prevention Health Department Project Planning

Building Department

Board of Education

Industrial

Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of plans that may have a bearing on the Zoning Commissioner Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Enclosures

JED:jw

cc: Mr. & Mrs. Dennis C. Deigert, Sr. 7817 Oakleigh Road Baltmore, MD 21234